

the invention was known or used by others in this country before the invention thereof by Applicant. In the reference, Mr. Kliot asserts that “[t]he original concepts were developed in June/July 2000[,]” however, following communication with the Examiner, Mr. Kliot has not been able to provide any evidence of his invention date. It is impossible to determine from that reference what, if any, of Applicant’s invention may have been known or used by Kliot and Glass before Applicant’s date of invention. Applicant respectfully requests that the Kliot and Glass reference be excluded.

Furthermore, the reference is non-enabling. It merely identifies a laundry list of potential uses for a handheld infrared transmitter. Although “potential application number 16” is directed toward use of a device at a restaurant, there is no disclosure as to how any potential application can be performed. There is only a listing of ideas for potential uses and shapes for potential devices. Again, Applicant respectfully requests that the Kliot and Glass reference be excluded.

The Examiner has rejected Claims 9, 18, 31, 44, 57, and 60 under 35 U.S.C. § 103(a) as being unpatentable over Handheld HQ/Supersync/Pocket Rx/Pocket Parts TV Sync by Kliot and Glass in view of “How Infrared Laser Data Transmission Compares with Radio Frequency Transmission” by Pearson. Applicant respectfully traverses the rejection. As described above, the Kliot and Glass reference should be disqualified. Accordingly, there is no teaching to modify as described by Pearson.

The Examiner has rejected Claims 6, 11, 15, 25, and 41 under 35 U.S.C. § 103(a) as being unpatentable over Handheld HQ/Supersync/Pocket Rx/Pocket Parts TV Sync by Kliot and Glass in view of Pentel (US 5,969,968). Applicant respectfully traverses the rejection. As described above, the Kliot and Glass reference should be disqualified. Accordingly, there is no teaching to modify as described by Pentel.

The Examiner has rejected Claims 10, 26, 51, and 53 under 35 U.S.C. § 103(a) as being unpatentable over Handheld HQ/Supersync/Pocket Rx/Pocket Parts TV Sync by Kliot and Glass in view of Kinebuchi et al. (US 6,208,976). Applicant respectfully traverses the rejection. As described above, the Kliot and Glass reference should be disqualified. Accordingly, there is no teaching to modify as described by Kinebuchi et al.

Applicant notes that, in an amendment filed 5/27/2004, new claims 65 and 66 were added. Both those claims depend from claim 1 and have not been addressed by the Examiner.

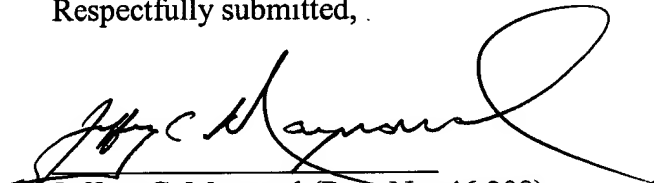
CONCLUSION

Applicant has made a diligent effort to address the objections and rejections identified by the Examiner, and respectfully submits that the outstanding objections and rejections in the Office Action have been overcome. In view of the above amendments and remarks, all pending claims are believed to be patentable, and thus, the case is in condition for allowance. Accordingly, a Notice of Allowability is respectfully requested at the Examiner's earliest convenience. In the event that there is any question concerning this response, or the application in general, Applicant respectfully requests that the Examiner contact Applicant's attorney at the telephone number listed below so that additional changes may be discussed.

Respectfully submitted,

3/22/05

Date



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